



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777

Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 48
Comm #: 54552-1171-28-A
BRRTS #: 02-51-150744
Site Name: Flambeau Oil Co Bulk Plant
Site Address: 428 4th Ave N, Park Falls, 54552
Site Manager: Philip Richard
Address: 875 S Fourth Ave
City, State Zip: Park Falls, WI 54552-1130
Phone: 715-762-1352
e-mail: philip.richard@wisconsin.gov
Bid Manager: David E. Blair
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-2515
e-mail: David.Blair@Wisconsin.Gov

Bid-Start Date:	March 26, 2007
Questions must be received by (See Section 2 (B)):	April 09, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	April 27, 2007
Bid-End Date and Time:	May 11, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

The Copy Shop-Ashland, 310 Stuntz Ave, Ashland, WI 54806
Phone: (715) 682-6567 Fax: (715) 682-6551

SECTION 2 – Site-Specific Bid Requirements

General Comments

Soils at the site consist of sand and varying degrees of silt and gravel. Depth to groundwater is approximately 2 to 5 feet below ground surface. 12 monitoring points (8 monitoring wells, 2 piezometers, and 2 sandpoints) were sampled at the site in 2005. Free product has recently been observed in monitoring well MW-5.

Work was conducted at the site for a round 17 bid. Work included removal and disposal of approximately 354 tons of petroleum impacted soil out of two separate areas followed by 4 quarterly and 4 semi-annual groundwater sampling events. Soil samples collected from the bottom and sidewalls of the more southerly excavation showed results significantly above NR 746 Table 1 and Table 2 levels.

Minimum Remedial Requirements

Excavate soils along the western and southern limits of the more southerly 2002 excavation to address the remaining soil contamination. Soil shall be removed from ground surface to approximately 6 feet below ground surface. The area excavated must include contaminated soils in the area of MW-5 and former MW-7 (MW-5 must be replaced following the excavation) and shall extend below the water table. A field screening instrument shall be used to determine the westerly and southerly limits of excavation. The excavation must remove a minimum of 200 tons. Without additional approvals a maximum of 350 tons of soil can be removed. For the purpose of the bid all bidders should assume a 200 ton excavation. Reimbursement for soil excavation and disposal will be on a per ton basis. For excavated amounts over 200 tons, the bid cap will be adjusted upwards based on scale receipts and the per ton excavation, disposal and backfilling bid rate provided on the page 2 of the bid response. Details of the planned excavation shall be coordinated with the DNR project manager prior to field activities.

A minimum of six confirmation soil samples shall be collected for lab analysis from the excavation (with a minimum of one sample from each sidewall, no farther apart than 20 feet). Field screening shall be conducted vertically at two foot intervals no farther than 20 feet apart. Soil samples shall be submitted for laboratory analysis of petroleum volatile organic compounds (PVOCs) and polynuclear aromatic hydrocarbons (PAHs). Because the excavation will likely extend below the water table a bottom soil sample will not need to be collected. Documentation of saturated conditions shall be included. The excavated contaminated soils and any contaminated water removed during de-watering activities shall be properly treated and/or disposed of in accordance with NR 718, Wis. Adm. Code. The excavation shall be backfilled with clean soil material. Following excavation, monitoring well MW-5 (and monitoring point SP1400 if it is destroyed) must be replaced within two feet of its original location. Prior departmental approval is required for well replacement locations elsewhere.

Following soil removal activities conduct four quarterly groundwater sampling events on all sampling points. All samples shall be laboratory analyzed for PVOCs and PAH's the first and third sampling events. All samples shall be analyzed for PVOC plus naphthalene the second and fourth sampling events. Two surface water samples shall also be collected from the drainage ditch on the eastern portion of the property during the first sampling event at the locations shown on the site figure (a link to this figure is provided on the bidding web site). The

surface water samples shall also be analyzed for PVOCs and PAHs. During each sampling event, collect water elevation measurements from all monitoring points and the staff gauge in the drainage ditch. All development water shall be placed in drums and disposed of properly.

The DNR and DCOMM shall be notified within two working days if free product is identified at the site.

At the completion of the scope of work dispose of all contaminated wastes generated during the sampling activities. Provide disposal documentation for all waste in final report.

Following completion of the bid work, submit a report to both the DNR and DCOM that includes a summary of activities, and recommendations for obtaining closure for the site. If the site appears to be ready for closure, please provide a cost estimate for all closure related costs. The report shall include; an updated site map (including areas excavated and where confirmation sampling was conducted and property boundaries for all affected properties), tabulated post-remedial soil data (field and laboratory data), tabulated historical and recent ground water monitoring data, Mann-Kendall analysis of historical and current monitoring results for wells where there are ES exceedences, figures for estimated extent of remaining soil and groundwater contamination, and groundwater flow maps for each sampling event, meeting the requirements of s. NR 716.15(2)(d) 5 and 6., Wis. Adm. Code. The updated groundwater analytical tables shall also be submitted in electronic form.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Flambeau Oil Co Bulk Plant

COMMERCE #: 54552-1171-28

BRRTS #: 02-51-150744

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Flambeau Oil Co Bulk Plant

COMMERCE #: 54552-1171-28

BRRTS #: 02-51-150744

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Per ton excavation, disposal, backfilling (X200)	\$	
2	GW sampling/elev measurement event (X4)	\$	
3	Soil and groundwater analytical costs	\$	
4	Reinstallation of MW(s)	\$	
5	Reporting costs (all)	\$	
6	Waste disposal + other costs not shown above	\$	
7	PECFA Claim Preparation	\$	
8	Total Bid Amount	\$	